

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	ASCHOFF et al.	Examiner:	Unassigned
Serial No.:	Unassigned	Group Art Unit:	Unassigned
Filed:	September 26, 2003	Docket No.:	SJO920030019US1 (IBMS.069PA)
Title:	METHOD, APPARATUS AND PROGRAM STORAGE DEVICE FOR PROVIDING AUTOMATIC PERFORMANCE OPTIMIZATION OF VIRTUALIZED STORAGE ALLOCATION WITHIN A NETWORK OF STORAGE ELEMENTS		

CERTIFICATE UNDER 37 CFR 1.10

Express Mail' mailing label number: EL 981389720 US

Date of Deposit: September 26, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 
Name: Kathleen McDevitt

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted either within three months of the filing date or before the first Office Action of the above-identified application. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), and the 05 August 2003 Official Gazette Notice, only a copy of each foreign document or non-U.S. patent/application listed on the enclosed Form 1449 is provided.

Please note that any notations or markings on the attached documents do not reflect particular relevance, or lack thereof, to the present application, nor were they necessarily made by anyone affiliated with the prosecution of the present application.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

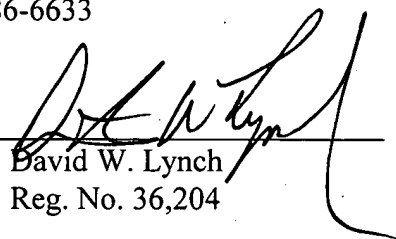
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,

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1270 Northland Drive
Suite 390
St. Paul, MN 55120
651/686-6633

Date: September 26, 2003

By: _____


David W. Lynch
Reg. No. 36,204

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	US 2002/0091746 A1	07/11/2002	UMBERGER et al.				
	US 2002/0174267 A1	11/21/2002	ERDMENGER et al.				
	US 2003/0005028 A1	01/02/2003	DRITSCHLER et al.				
	4,633,387	12/30/1986	HARTUNG et al.				
	5,095,421	03/10/1992	FREUND				
	5,249,290	09/28/1993	HEIZER				
	5,506,955	04/09/1996	CHEN et al.				
	5,765,146	06/09/1998	WOLF et al.				
	6,067,545	05/23/2000	WOLFF				
	6,175,869	01/16/2001	AHUJA et al.				
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	August 2001	Uysal, Mustafa, Alvarez, Guillermo A. and Merchant, Arif, "A Modular, Analytical Throughput Model for Modern Disk Arrays," <i>Ninth International Symposium on Modeling, Analysis and Simulation of Computer and Telecommunication Systems (MASCOTS-2001)</i> , August 15-18, 2001, Cincinnati, Ohio, USA.					
	Oct. 1990	Eric Anderson, Mahesh Kallahalla, Susan Spence, Ram Swaminathan, and Qian Wang, "Ergastulum: Quickly Finding Near-Optimal Storage System Designs," <i>HP Laboratories SSP technical report HPL-SSP-2001-05</i> , pp 1-25, June 2002.					

*Substitute Disclosure Statement Form (PTO-1449)